

TITLE 28
LEGISLATURE

CHAPTER 1
GENERAL PROVISIONS

28-1-101. President of senate to preside over joint sessions; powers.

Whenever the senate and house of representatives of the legislature of the state of Wyoming shall meet in joint session, for the transaction of any business whatsoever, the duly elected and qualified president of the senate shall preside over the deliberations of any such joint session, with all the prerogatives and powers of a presiding officer, and the officers of both the senate and house shall be, during such joint session, under and subject to his direction.

28-1-102. Length of legislative sessions.

(a) The general and budget session of the Wyoming legislature shall commence on the second Tuesday of January of odd-numbered years and shall continue for an additional thirty-nine (39) legislative working days unless both houses agree to an earlier adjournment.

(b) There shall be a legislative budget session each even-numbered year to consider the state budget and any other business the legislature deems desirable. The budget session of the Wyoming legislature shall commence on the second Monday of February of even-numbered years and shall continue for an additional number of legislative working days as agreed by both houses of the legislature or as limited by the Wyoming constitution.

(c) As used in this section "legislative working day" means every day of the week when either the senate or house of representatives convenes, exclusive of Sundays.

(d) Members of the legislature shall be paid salary and per diem for each calendar day from the first legislative working day of each session through and including the last legislative working day of each session.

28-1-103. Additional employees.

At any time during the session of the legislature when the employment of additional persons may be necessary for the efficient performance of the duties imposed upon the legislature, the senate and house of representatives are hereby authorized to employ such additional employees. All persons employed by either house shall at all times serve at the will of the presiding officer of that house.

28-1-104. Repealed By Laws 2013, Ch. 36, § 1.

28-1-105. Preservation of records.

The original minutes, receipt books and miscellaneous records of the state legislature deposited with the secretary of state shall be retained by the secretary of state for a period of three (3) years. The original house bills and senate files shall be retained by the secretary of state for ten (10) years after which time the secretary of state will deliver them to the department of state parks and cultural resources for destruction or preservation as it may deem desirable. The original enrolled acts, and the original senate and house journals shall be retained by the secretary of state as permanent records.

28-1-106. Resignation of office.

Resignation of the office of a member of the senate or house of representatives shall be made to the governor, who shall immediately notify the state central committee of the party which the member represented at the time of his election under W.S. 22-6-120(a)(vii), or at the time of his appointment if not elected to office, of the resignation. If the resigning member did not represent a political party at the time of his election, or at the time of his appointment if not elected to office, the governor shall notify the appropriate boards of county commissioners who shall proceed in accordance with W.S. 22-18-111(a)(iii)(C). For purposes of this section a person shall be considered to "represent" a political party if he was a nominee of that political party when elected to office or when appointed to fill a vacancy in office.

28-1-107. Definitions.

(a) As used in this act:

(i) "Committee" means any duly constituted committee of the legislature, any standing committee of either house of the legislature, joint interim committee of the legislature,

special investigating committee established by joint resolution of the legislature and the committees established by W.S. 28-11-101, 28-11-201 and 28-11-301;

(ii) "Council" means the management council of the legislature;

(iii) "Legislature" means the Wyoming legislature;

(iv) "Subpoena" means a legislative subpoena or subpoena duces tecum in such form and issued pursuant to rules prescribed by the legislature or council;

(v) "This act" means W.S. 28-1-107 through 28-1-112 and any future amendments thereto.

28-1-108. Oaths.

Any Wyoming legislator or designated staff members of the legislature are empowered to administer oaths to witnesses in any matter under investigation by the legislature, council, or committee.

28-1-109. Issuance and service of subpoena; privilege of witness; witness fees and expenses.

(a) The presiding officer of either house of the legislature, the council, or a committee may issue a subpoena upon request of a majority of the members of the body. Subpoenas also may be issued on behalf of the management audit committee as provided by W.S. 28-8-107(h).

(b) A subpoena shall be served by the sheriff or his deputy, or may be served by any other person so designated by the presiding officer. Service of a subpoena upon a person named therein shall be made either by reading or by delivering a copy to the person. The person serving the subpoena shall make proof of service thereof to the issuing body promptly and in any event within the time during which the person served must respond to the subpoena.

(c) No witness before the legislature, the council, or any committee is privileged to refuse to testify to any fact or to produce any book, paper, or other document relevant to the matter under inquiry on the ground that his testimony or production of the document may tend to disgrace him or otherwise render him infamous.

(d) Witnesses not employees of the state of Wyoming nor of any political subdivision of the state who are summoned to give testimony or produce documents shall receive witness fees, travel expenses, and other expenses in the same amount as permitted in civil cases triable in district court.

28-1-110. Failure to appear; refusal to testify or produce documents; disturbances.

(a) Any person having been subpoenaed as a witness by the authority of the legislature, council or committee to give testimony or produce books, papers or other documents relevant to the matter under inquiry before the legislature, council, or any committee, who fails to appear, refuses to be sworn, refuses to answer any question relevant to the matter under inquiry, or fails to produce any books, papers or other documents relevant to the matter under inquiry, is guilty of a misdemeanor.

(b) Any person attending a meeting or hearing of the legislature, the council, or any committee, who is disorderly or contemptuous or who willfully creates noise or any other disturbance tending to interrupt or disrupt the meeting or hearing, is guilty of a misdemeanor.

(c) Any person who violates this section, upon conviction, a plea of guilty or nolo contendere, may be punished by a fine of not more than one hundred dollars (\$100.00) and imprisonment in county jail for a period not to exceed six (6) months.

28-1-111. Certification of violations for prosecution.

Whenever any witness subpoenaed to appear or produce documents before the legislature, council, or any committee, fails to appear to testify, refuses to be sworn, fails to answer any question relevant to matter under inquiry, fails to produce any book, paper or other document relevant to the matter under inquiry, or whenever any person is alleged to have violated W.S. 28-1-110(b), the presiding officer of the body shall certify that failure or violation to the appropriate district attorney for prosecution of the matter in the appropriate court.

28-1-112. Court order to appear to testify or produce documents.

In case of refusal to obey a subpoena issued by the legislature, council, or any committee, the presiding officer of the body

shall apply to the district court for the district in which the proceedings are being held, for an order requiring the person to appear before the legislature, the council, the committee or other person designated by the presiding officer at the time and place requested by the application, there to produce the documentary evidence or give testimony on the matter under inquiry. Failure to obey the court order may be punished by the court as a contempt of court.

28-1-113. Joint meetings of legislative standing committees; introduction and passage of budget bill.

(a) The joint appropriations committee shall sit in open sessions while considering the budget and shall begin meetings not less than twenty (20) days prior to the convening of the budget session. The joint committee may cause the attendance of the heads or responsible representatives of the departments, institutions and all other agencies of the state to furnish information and answer questions as the joint committee requires.

(b) All persons interested in the estimates under consideration shall be admitted to the meetings and may be allowed the right to be heard. The governor, or his representatives, and members of the legislature have the right to sit at these public hearings and be heard on all matters coming before the joint committee.

(c) The joint committee shall cause the general appropriation bill or bills known as budget bills, to be introduced in whole or in part in the house of representatives or the senate, or both. When a budget bill has passed the house of origin, the bill shall be referred to the standing appropriations committee of the opposite house which shall meet and consider those amendments to the budget bill which were adopted by the house of origin and shall not propose other amendments to any original joint appropriations committee budget bill.

(d) To the extent not inconsistent with any enacted law or clear expression of legislative intent to the contrary, each agency's budget request as recommended by the governor to the joint appropriations interim committee, any other budgetary explanatory material submitted to the joint appropriations interim committee by the governor and the budget hearings before the joint appropriations interim committee shall guide the interpretation and implementation of appropriations and related

language contained within the general appropriations bill or bills appropriating funds to be expended for the operation of a state agency, including programs, purposes and number of employees specified within each agency.

28-1-114. Repealed By Laws 2011, Ch. 129, § 204.

28-1-115. Submission of state agency plans to legislature; contents; purposes.

(a) To assist the legislature in its deliberations, every state agency shall:

(i) No later than December 1, 1994, prepare and thereafter maintain a statement of policies and statutory authority that guide the programs, activities and functions of the agency. The plan shall specify those objectives against which the agency will be measured to evaluate its effectiveness. An agency may implement only those programs that are specifically established by constitutional or statutory authority;

(ii) As required by the governor or by the legislature by law, develop a multi-year plan to accomplish and further the goals and objectives defined in W.S. 28-1-116(a). The plan development shall include an opportunity for public review and comment. The plan shall be submitted to the governor for his approval. The plan shall:

(A) Include performance measures that provide methods and criteria to measure the agency's performance in conducting its activities and in achieving its goals and objectives. The methods and criteria shall comply with standards developed by the governmental accounting standards board. Performance measures shall be developed by the agency and audited by the department of audit;

(B) State the relative priority that each current or proposed program bears with regard to all other programs and objectives within the agency;

(C) Be developed with a multi-year prospective and provide the strategic approach within which the agency's budget request is developed;

(D) Include sufficient information for evaluation of the following:

(I) The specific purpose of each program, function and activity of the executive branch of government or any other major entity that receives funding from state revenue;

(II) The specific public benefit that does or should result from the program, function or activity;

(III) Alternative courses of action that would result in administration of the same program, function or activity in a more efficient or effective manner including:

(1) Whether a program, function or activity could be implemented more effectively by another level of government or by a private entity;

(2) Whether there is sufficient public benefit to justify the funding necessary for the program, function or activity.

(IV) The consequences of discontinuing any program, function or activity;

(V) Whether the methods, rules and policies employed by the agency to implement a program, function or activity are cost-effective, efficient and consistent with law and impose a minimum of regulatory burden;

(VI) The results and outcomes associated with the program, function or activity from the previous plan.

(b) Financial resources necessary to implement the policies and goals of each agency program shall be clearly identified as a part of each biennial or supplemental budget request. Any state program, function or activity not included in an annual state agency plan shall not receive funding for the subsequent budget period.

(c) Each agency shall submit by the third Monday in November of each year an annual performance report to the governor with copies to the legislative service office to provide a basis for evaluation of attainment of agency goals and objectives in the agency's plan developed under subsection (a) of this section. The report shall be included as part of the annual report required by W.S. 9-2-1014(a).

(d) The management audit committee of the legislature, with the assistance of the legislative service office and the department of audit, may use the agency plans and annual statement of attainment as the basis for program evaluation and performance audits as authorized by law.

(e) Repealed by Laws 2018, ch. 99, § 2.

(f) The plan required under W.S. 28-1-115(a)(ii) may be reviewed by the management audit committee of the legislature and shall be reviewed by the management audit committee if:

(i) Required by the management council of the legislature; or

(ii) Otherwise required by law.

(g) For purposes of this section and W.S. 28-1-116, "state agency" means:

(i) Each separate department in the executive branch of government created under the authority of the Wyoming Government Reorganization Act of 1989, W.S. 9-2-1701 et seq.;

(ii) Offices of the five (5) elected state officials and the attorney general; and

(iii) Each agency designated as a separate operating agency under W.S. 9-2-1704(d).

28-1-116. Continuous planning; performance budgeting.

(a) On or before July 1, 1995, and by March 31 of each odd-numbered year thereafter, the governor shall define state goals and objectives in the following areas:

(i) Education;

(ii) Regulatory and economic development;

(iii) Natural resources;

(iv) Health;

(v) Human services;

(vi) Transportation;

(vii) Public safety and corrections;

(viii) General government.

(b) The governor may submit draft goals and objectives to the management council for comment.

(c) On or before September 1 of each odd numbered year, each state agency, as defined under W.S. 28-1-115(g), following an opportunity for public review, shall submit to and have approved by the governor a plan as described by W.S. 28-1-115(a)(ii).

(d) Repealed By Laws 1997, ch. 178, § 2.

(e) When the governor submits the state budget or a supplemental budget as required under W.S. 9-2-1013, he shall also distribute agency plans required under subsection (c) of this section. The budget for each agency shall be performance and program based and shall reflect the goals and objectives specified in the agency's plan.

(f) All dates established in this section or in W.S. 28-1-115 may be extended by the governor.

28-1-117. Repealed By Laws 2003, Ch. 34, § 1.

28-1-118. Legislative review of state revenue distribution formulae; reports required.

The joint revenue interim committee shall submit a report to the governor and legislature by December 1, 2004, and by December 1 of each fourth year thereafter, reviewing the distribution formulae for federal mineral royalties, severance taxes and inheritance taxes. The report shall indicate whether the formulae are understandable to public policy makers, serve the needs of the citizens of the state and whether the distinction between sustainable revenues and "one-time" revenues contained therein is reasonable. The report may contain recommendations for legislation.

CHAPTER 2 LEGISLATIVE DISTRICTS OF MEMBERS

28-2-101. Repealed by Laws 1981, ch. 76, § 2.

- 28-2-102. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-103. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-104. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-105. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-106. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-107. Repealed by Laws 1981, ch. 76, § 2.
- 28-2-108. Repealed by Laws 1991, ch. 165, § 2.
- 28-2-109. Repealed by Laws 1991, ch. 165, § 2.
- 28-2-110. Repealed by Laws 1991, ch. 165, § 2.
- 28-2-111. Repealed by Laws 1991, ch. 165, § 2.
- 28-2-112. Repealed by Laws 1992, ch. 1, § 7.
- 28-2-113. Repealed by Laws 1992, ch. 1, § 7.
- 28-2-114. Repealed by Laws 1992, ch. 1, § 7.
- 28-2-115. Repealed By Laws 2002, Ch. 1, § 3.
- 28-2-116. **Legislative districts generally; definitions.**

(a) As used in W.S. 28-2-116 through 28-2-119:

(i) "Census block" means a geographic area of the state of Wyoming specified by the United States bureau of the census in accordance with the 2010 decennial census and identified uniquely by census block number;

(ii) "Voter tabulation district" or "VTD" means a geographic area of the state of Wyoming specified by the United States bureau of the census in accordance with the 2010 decennial census and identified by Wyoming VTD name and number;

(iii) "This act" means W.S. 28-2-116 through 28-2-119.

(b) As used in W.S. 28-2-118 and 28-2-119 unless the context otherwise requires:

(i) "Blocks" designates the entire census block as numbered by the United States bureau of the census for the 2010 decennial census within the named VTD and county is a part of the legislative district;

(ii) "(Name of) County" designates either that the entire named Wyoming county is within the legislative district or that a portion of the named Wyoming county as specified is within the legislative district;

(iii) "District (number)" designates the legislative district number assigned to a house or senate legislative district from which a legislator is elected under this act;

(iv) "VTD" designates either that the entire voter tabulation district as named by the United States bureau of the census for the 2010 decennial census within the named county is a part of the legislative district or that a portion of the named voter tabulation district within the named county as specified is a part of the legislative district.

(c) W.S. 28-2-118 creates legislative districts for the Wyoming senate and W.S. 28-2-119 creates legislative districts for the Wyoming house of representatives.

(d) The secretary of state shall maintain and make available for public inspection in a hardcopy or electronic format, or both, during regular business hours:

(i) The United States Public Law 94-171 data for the 2010 decennial census received by that office from the United States bureau of the census; and

(ii) The list and geographic description of the legislative districts for the Wyoming senate as provided in W.S. 28-2-118(b) and enacted into law and the list and geographic description of the legislative districts for the Wyoming house of representatives as printed in "Attachment A" referenced in W.S. 28-2-119(b) and enacted into law.

28-2-117. Effective date of changes in legislative districts; election of holdover senators.

(a) Changes in all legislative districts are effective for the 2012 general election cycle and the sixty-second legislature.

(b) Members for senate districts designated as even-numbered districts in W.S. 28-2-118(b) shall be elected for a term of four (4) years at the 2012 general election. Except as provided in subsection (c) of this section, no election shall be held in 2012 for senate districts designated as odd-numbered districts in W.S. 28-2-118(b) for which members were elected at the 2010 general election and nothing in this act shall affect the terms of those members, except as provided in subsection (c) of this section. Members for senate districts designated as odd-numbered districts in W.S. 28-2-118(b) shall be elected for a term of four (4) years at the 2014 general election.

(c) A member elected in the 2010 general election for a senate district designated as an odd numbered district in W.S. 28-2-118(b) who has been removed from his district as a result of district boundary changes made by this act may continue to serve the remainder of his term for the district from which he was elected.

(d) Nothing in this act otherwise affects the terms of members of the sixty-first legislature.

28-2-118. Senate legislative districts; list of nested house districts formed to create senate districts.

(a) Subsection (b) of this section creates legislative districts for the Wyoming senate consisting of the numbered legislative districts contained therein. There shall be one (1) senator elected from each legislative district as specified in subsection (b) of this section. Senate districts shall consist of the entirety of the geographic area of the two (2) house districts listed in subsection (b) of this section for each senate district and as fully described in "Attachment A".

(b) Senate districts shall consist of the entirety of the geographic area of the following two (2) house districts per senate district:

- (i) Senate District 1 - House Districts 1 and 52;
- (ii) Senate District 2 - House Districts 4 and 6;
- (iii) Senate District 3 - House Districts 2 and 5;
- (iv) Senate District 4 - House Districts 7 and 41;

(v) Senate District 5 - House Districts 8 and 42;
(vi) Senate District 6 - House Districts 9 and 10;
(vii) Senate District 7 - House Districts 11 and 43;
(viii) Senate District 8 - House Districts 12 and 44;
(ix) Senate District 9 - House Districts 13 and 45;
(x) Senate District 10 - House Districts 14 and 46;
(xi) Senate District 11 - House Districts 15 and 47;
(xii) Senate District 12 - House Districts 17 and 48;
(xiii) Senate District 13 - House Districts 39 and
60;
(xiv) Senate District 14 - House Districts 18 and 20;
(xv) Senate District 15 - House Districts 19 and 49;
(xvi) Senate District 16 - House Districts 21 and 22;
(xvii) Senate District 17 - House Districts 16 and
23;
(xviii) Senate District 18 - House Districts 24 and
50;
(xix) Senate District 19 - House Districts 25 and 26;
(xx) Senate District 20 - House Districts 27 and 28;
(xxi) Senate District 21 - House Districts 29 and 51;
(xxii) Senate District 22 - House Districts 30 and
40;
(xxiii) Senate District 23 - House Districts 3 and
31;
(xxiv) Senate District 24 - House Districts 32 and
53;
(xxv) Senate District 25 - House Districts 33 and 54;

(xxvi) Senate District 26 - House Districts 34 and
55;

(xxvii) Senate District 27 - House Districts 35 and
36;

(xxviii) Senate District 28 - House Districts 56 and
57;

(xxix) Senate District 29 - House Districts 37 and
59; and

(xxx) Senate District 30 - House Districts 38 and 58.

28-2-119. House legislative districts; lists of census blocks for split voter tabulation districts in the house of representatives.

(a) Subsection (b) of this section creates legislative districts for the Wyoming house of representatives consisting of the numbered legislative districts contained therein. There shall be one (1) representative elected from each legislative district as specified in subsection (b) of this section. The area within a county, voter tabulation district or census block as provided in paragraphs (i) through (iii) of this subsection is determined using the United States bureau of the census topologically integrated geographic encoding and referencing data base (TIGER®). Each numbered legislative district in subsection (b) of this section consists of the combined geographic area within the:

(i) Entire specified county, if the county alone is listed with no geographic subdivision listed below it;

(ii) Voter tabulation district, if any are listed below the particular county; and

(iii) Census block, if any are listed below the particular voter tabulation district. A census block listed below a voter tabulation district indicates a split voter tabulation district.

(b) (See Attachment A)

28-3-101. President.

(a) There shall be a president of the senate whose duties shall be:

(i) To take the chair at the hour fixed for the meeting of the senate, and call the members to order;

(ii) To announce the business before the senate in the order in which it is to be taken up;

(iii) To receive and submit in proper manner all motions and propositions presented by the members, and to announce the result;

(iv) To receive messages and other communications from other branches of the government, and to announce them to the senate;

(v) To authenticate by his signature, when necessary, all bills, orders and proceedings of the senate;

(vi) To name the members of all committees, unless otherwise directed by the senate.

(b) He may call any member to the chair, but such substitution shall not extend beyond an adjournment, except that in the case of sickness, he may, with the approval of the senate, appoint a member to perform the duties of the president for a period not exceeding ten (10) days.

(c) He shall have the regulation of such parts of the capitol and its passages, and any building in which the legislature meets while displaced from the capitol, as are or may be set apart for the use of the senate and its officers.

(d) He shall refer all matters to be committed to the committee most appropriate to take charge of the same.

(e) He shall, whenever a motion is made and carried to shut the doors of the senate chamber, in the discussion of any question which may, in the opinion of any member, require secrecy, direct the senate chamber to be cleared, and during the discussion of such question, the doors shall remain closed.

(f) He shall call a member to fill the chair whenever the senate resolves itself into a committee of the whole, and the chairman so called shall have the power of the president of senate, until such committee rise.

(g) He shall preserve order and decorum and may speak to points of order, in preference to other members, rising from his seat for that purpose.

28-3-102. Vice-president.

There shall be a vice-president of the senate, who, in the absence of the president, shall exercise all the powers and authority of the president, and shall perform all his duties.

28-3-103. Employees generally.

(a) At the beginning of each session of the legislature, the senate thereof shall engage such employee personnel for said session, upon respective compensation bases, as decided by it.

(b) The senate may authorize personnel to be employed beyond the adjournment of the session in order to complete recordkeeping of each session and prepare for each session of the legislature. The president of the senate, subject to legislative appropriation, shall establish the compensation of any staff so employed whose duties shall be performed under the direction of the president.

28-3-104. Chief clerk.

(a) There shall be a chief clerk whose duties shall be:

(i) To keep a correct journal of the proceedings of the senate;

(ii) To read aloud all papers handed to him for that purpose by any member;

(iii) To certify and transmit to the house of representatives all bills, resolutions and other papers requiring the concurrence of said house, immediately after its passage;

(iv) To notify the house on the concurrence or disagreement by the senate in any vote of the house;

(v) To permit no papers or records belonging to the senate to be taken out of his custody otherwise than in the regular course of business;

(vi) To perform all other duties pertaining to his office under the direction of the president.

CHAPTER 4 HOUSE OF REPRESENTATIVES

28-4-101. Initial calling of house to order; election of temporary speaker.

Upon the assemblage of the state legislature upon the first day of each regular session thereof, it shall be the duty of the secretary of state to call the house of representatives to order at twelve (12:00) o'clock noon, calling the roll of members entitled to seats according to the certificate of the state canvassing board, filed in the office of secretary of state, whereupon it shall be his duty to call for the nomination and election of a temporary speaker, upon the election of whom the secretary of state shall forthwith surrender his place to the duly elected temporary presiding officer.

28-4-102. Speaker; speaker pro tem.

(a) There shall be a speaker of the house who shall take the chair at the hour fixed for the meeting of the house, and call the members to order, and shall perform the following duties:

(i) To announce the business before the house in the order in which it is to be taken up;

(ii) To receive and submit, in proper manner, all motions and propositions presented by the members, and to announce the result;

(iii) To receive messages and other communications from other branches of the government, and announce them to the house;

(iv) To authenticate by his signature, when necessary, all bills, orders and proceedings of the house;

(v) To name the members of all committees, unless otherwise directed by the house.

(b) He may call any member to the chair, but such substitution shall not extend beyond an adjournment.

(c) He shall have the regulation of such parts of the capitol and its passages, and any building in which the legislature meets while displaced from the capitol, as are or may be set apart for the use of the house or its officers.

(d) He shall refer all matters to be committed to the committee most appropriate to take charge of the same.

(e) He shall call a member to fill the chair whenever the house resolves itself into a committee of the whole.

(f) He shall preserve order and decorum, and may speak to points of order in preference to other members, rising from his seat for that purpose.

(g) When the house is in a committee of the whole, should there be any disorderly conduct in the lobby, or any part of the house, the speaker shall immediately resume the chair, and shall have the power to order the house cleared until order is restored.

(h) The house shall elect a speaker pro tem, who, in the absence of the speaker, shall exercise all the powers and authority of the speaker, and shall perform all his duties.

28-4-103. Employees generally.

(a) At the beginning of each session of the legislature, the house of representatives thereof shall engage such employee personnel for said session, upon respective compensation bases, as decided by it.

(b) The house may authorize personnel to be employed beyond the adjournment of the session in order to complete recordkeeping of each session and prepare for each session of the legislature. The speaker of the house, subject to legislative appropriation, shall establish the compensation of any staff so employed whose duties shall be performed under the direction of the speaker.

28-4-104. Chief clerk.

(a) There shall be a chief clerk whose duties shall be as follows:

(i) To keep a correct journal of the proceedings of the house;

(ii) To read aloud all papers handed to him for that purpose by any member;

(iii) To certify to, and transmit to the senate, all bills, resolutions and other papers requiring the concurrence of the senate, immediately after their passage;

(iv) To notify the senate on the concurrence or disagreement by the house in any vote of the senate;

(v) To permit no papers or records belonging to the house to be taken out of his custody otherwise than in the regular course of business;

(vi) To perform all other duties pertaining to his office under the direction of the speaker.

CHAPTER 5 COMPENSATION OF MEMBERS

28-5-101. Schedule of compensation, per diem and travel expenses.

(a) Repealed By Laws 2011, Ch. 129, § 202.

(b) The amount to be received by each member of the legislature for expenses shall be one hundred nine dollars (\$109.00) per day.

(c) Repealed by Laws 2016, ch. 51, § 2.

(d) Each member of the legislature shall receive one hundred fifty dollars (\$150.00) per day as salary in addition to the mileage rate provided for in this subsection. Each member of the legislature may receive the mileage rate provided for in this subsection for the total round trip mileage from Cheyenne to the legislator's home for not more than one (1) trip each week during the period the legislature is in session, provided the legislature is in session for a period of not less than two (2) weeks and the legislator claiming the mileage reimbursement shall submit a verified claim for mileage to the legislative

service office. Each member of the legislature shall receive a mileage rate as established by the state auditor to be reflective of the average of all direct and indirect costs of driving a motor vehicle. In establishing the mileage rate the state auditor:

(i) May use a rate established by another entity if the rate reflects these costs;

(ii) Shall adjust the rate each year on January 1;

(iii) Shall not establish the rate at an amount exceeding the maximum nontaxable rates allowed by the internal revenue service at the time of travel.

(e) During the interim each member of the legislature shall be paid the following amounts, subject to subsection (f) of this section:

(i) The full daily statutory salary for four (4) days per month for floor leaders and committee chairmen, six (6) days for the speaker of the house and the president of the senate, and two (2) days per month for all other members of the legislature for each month the legislature is not in session;

(ii) The full daily statutory salary for each day the member is engaged in work for the management council, a standing committee, interim committee, select committee or a committee authorized by law;

(iii) One-half (1/2) the full daily statutory salary for one (1) day of preparation for each day the member is engaged in work for the management council, a standing committee, interim committee, select committee or a committee authorized by law to allow the member to prepare for the interim activity;

(iv) One-half (1/2) the full daily statutory salary for each day during which the member travels to engage in or returns from an interim activity for which he is entitled to receive salary under paragraph (ii) of this subsection;

(v) Full daily statutory per diem, or actual expenses in lieu of per diem if authorized by management council policy, for each day during which he travels to engage in, return from or engages in an interim activity for which he is entitled to receive salary under paragraph (ii) of this subsection, or an

activity approved by the management council or the chairman of an interim committee of which he is a member; and

(vi) Statutory mileage for necessary travel to attend and return from an approved interim activity.

(f) Notwithstanding subsection (e) of this section, no member of the legislature shall receive a salary in any month the legislature is not in session in excess of the amount equal to the full daily statutory salary multiplied by the number of days in that month.

28-5-102. Computation of mileage.

In determining the mileage it shall be computed by the most direct highway route.

28-5-103. Additional compensation of president of senate and speaker of house.

The president of the senate and speaker of the house of representatives, shall each receive three dollars (\$3.00) per day for his services, in addition to his compensation as a member of the legislature, and shall receive no other compensation, perquisite or allowance whatever.

28-5-104. Repealed By Laws 2013, Ch. 35, § 1.

28-5-105. Repealed By Laws 2013, Ch. 35, § 1.

28-5-106. Constituent service allowance.

(a) Repealed By Laws 2014, Ch. 59, § 2.

(b) Each member of the legislature is entitled to receive a constituent service allowance as provided under this section. This allowance is intended to defray expenses incurred by each member in providing service to and on behalf of their constituents, which services are in addition to attending sessions of the legislature, attending meetings of interim committees and engaging in authorized interim work for which salary, per diem and mileage is authorized by law. The allowance is subject to the following:

(i) Repealed By Laws 2013, Ch. 37, § 2.

(ii) Repealed By Laws 2013, Ch. 37, § 2.

(iii) Repealed By Laws 2013, Ch. 37, § 2.

(iv) The allowance of seven hundred fifty dollars (\$750.00) per calendar quarter or fractional portion thereof that the member is in office shall be paid quarterly to all incumbent legislators.

CHAPTER 6 CONSULTATION COMMITTEE

28-6-101. Repealed By Laws 1999, ch. 191, § 1.

28-6-102. Repealed By Laws 1999, ch. 191, § 1.

28-6-103. Repealed By Laws 1999, ch. 191, § 1.

28-6-104. Repealed By Laws 1999, ch. 191, § 1.

CHAPTER 7 LOBBYISTS

ARTICLE 1 IN GENERAL

28-7-101. Registration; reports.

(a) As used in W.S. 28-7-101 through 28-7-104 "lobby" or "as a lobbyist" means to attempt to influence legislation.

(b) Any person, who, on behalf of any association, corporation, labor union, public, nonprofit or private special interest group or any interest other than personal, is receiving or has a reasonable expectation of receiving expense reimbursement or compensation in excess of five hundred dollars (\$500.00) in a reporting period defined under W.S. 28-7-201(c), as a lobbyist shall, before, or within forty-eight (48) hours of, commencing lobbying activities during a reporting period as defined under W.S. 28-7-201(c), register with the secretary of state. The secretary of state shall collect a registration fee of twenty-five dollars (\$25.00) at time of registration, which shall be deposited with the state treasurer to be placed in the general fund. Any person who is not receiving or has no reasonable expectation of receiving expense reimbursement or compensation in excess of five hundred dollars (\$500.00), or who shall receive no compensation beyond travel and per diem expenses for lobbying activities under this chapter shall pay a

registration fee of five dollars (\$5.00) to the secretary of state at the time of registration. Registration shall state:

(i) The name and business address of the individual registering;

(ii) The name and business address of the association, corporation, labor union, public, nonprofit or private special interest group which the person represents.

(c) Not later than March 1 of each year the secretary of state shall make available a report of the registrations to all duly elected members of the house of representatives, the senate, state elected officials and any other person requesting a copy of the report.

28-7-102. Penalties.

(a) Any person or individual failing to register as a lobbyist with the secretary of state shall be guilty of a misdemeanor subject to a fine of not more than two hundred dollars (\$200.00).

(b) Any person or organization failing to file a lobbyist activity report required under W.S. 28-7-201 or who files a lobbyist activity report containing information which the lobbyist knows to be false is guilty of a misdemeanor punishable by a fine of not more than seven hundred fifty dollars (\$750.00). Upon a second or subsequent conviction under this section, any person or organization shall have his right to be a registered lobbyist revoked by the secretary of state for a period of up to two (2) years in addition to any fine.

28-7-103. No infringement of right to petition or communicate with legislature.

Nothing in the provisions of this article shall be construed to prohibit or infringe upon the right of a citizen as an individual to petition or to address written or oral communications to members of the legislature.

28-7-104. Chapter inapplicable to public official.

This article shall not apply to any public official acting in his official capacity.

ARTICLE 2

REPORTS

28-7-201. Lobbyist activity reports; contents, form and filing requirements; penalties.

(a) As used in this section "lobby" or "as a lobbyist" means to attempt to influence legislation.

(b) Except as provided in subsection (f) of this section, any person or organization who is registered under W.S. 28-7-101 as a lobbyist shall file a lobbyist activity report with the secretary of state which complies with this subsection. Any organization which employs a lobbyist shall report the information required by subsections (d) and (e) of this section unless this information is reported by the lobbyist. The organization and the lobbyist may make a joint report and the lobbyist may report on behalf of the organization.

(c) Lobbyist activity reports required under this section shall be filed electronically or otherwise annually no later than June 30 for activities during the preceding year May 1 through April 30.

(d) Each lobbyist activity report shall contain a listing of the lobbyist's sources of funding, each loan, gift, gratuity, special discount or hospitality paid or given, as defined by rules and regulations, to or on behalf of any legislator, state elected official or state employee acting in his official capacity which exceeds fifty dollars (\$50.00) in value identified by date, amount and the name of the legislator, state elected official or state employee.

(e) Special events, including receptions, meals, entertainment, attendance at athletic events and other functions, to which members of the legislature, of either house of the legislature, of any committee of the legislature or any regional legislative delegation have been invited shall be included in the report required under this section. The total expenses of activities reported pursuant to this subsection shall be reported by event or function not by individual legislator. The report shall specify the group of legislators invited but is not required to specify the names of individual legislators. Informational publications and other printed materials used for legislative purposes are not reportable under this act.

(f) If the amount of expenses reportable under subsections (d) and (e) of this section is less than five hundred dollars (\$500.00), no lobbyist activity report is required.

(g) Funding provided by any person or on behalf of the employer of the person to defray the cost of a meeting of any national or regional legislative organization shall not be reported. Any loan, gift, gratuity, special discount or hospitality paid or given to a bona fide charity or to defray the cost of a bona fide charitable event shall not be reported.

(h) Lobbyist activity reports shall be made in the manner and form prescribed by the secretary of state and shall be open to public inspection. If a named legislator, state elected official or state employee disagrees with the report, the legislator, state elected official or state employee may file a written objection to the report with the secretary of state which objection shall be attached as an addendum to the report filed with the secretary of state. The secretary of state shall promulgate rules and regulations to implement this act. The rules, regulations and forms shall be designed to ensure maximum compliance.

(j) Amendments to a lobbyist activity report may be filed with the secretary of state at any time. If inaccuracies are found in the report filed or additional amounts required to be reported occur or become known after the report is filed, amendments to the original report or additional reports shall be filed within a reasonable time not to exceed ninety (90) days from the time the inaccuracies or additional receipts or expenditures became known. If the total amount required to be reported is less than five hundred dollars (\$500.00), including the original reported amount, an amendment need not be filed.

(k) Notwithstanding W.S. 22-24-201(d) and in addition to the lobbyist activity report that may be required under this section, any group of persons which, through a private or public association, raises, collects or spends money for paid advertising in any communication medium or for printed literature to support, oppose or otherwise influence state legislation in the state of Wyoming shall file with the secretary of state a statement of applicable receipts and expenditures.

CHAPTER 8 LEGISLATIVE SERVICE OFFICE

28-8-101. Creation; composition.

There is created the legislative service office within the legislative branch of government hereinafter referred to as the "office". The organizational structure of the office shall be determined by the management council, subject to the ultimate control of the entire membership of the legislature.

28-8-102. Management council; membership; vacancies; meetings; rules and regulations; quorum; officers.

(a) Activities of the office shall be directed by a management council composed of the president, vice president, majority and minority floor leaders or their respective designees of the senate, plus two (2) senators selected at large not more than one (1) of which shall be from the same political party as the president; and the speaker, speaker pro tempore, majority and minority floor leaders or their respective designees of the house plus two (2) representatives selected at large, not more than one (1) of which shall be from the same political party as the speaker. The two (2) senators selected at large shall be selected by caucus of the two (2) major political parties in the senate, meeting separately, and the (2) representatives selected at large shall be selected by caucus of the two (2) major political parties of the house, meeting separately. These twelve (12) members shall select one (1) additional member at large from the house of which the chairman of the management council is not a member. The member at large shall not be from the same party as the chairman of the management council. Chairmanship of the management council shall be rotated between the house and senate after each two (2) year session so that the chairman shall not be from the same house as the chairman who served for the preceding legislative term. The members of the management council shall be the legislative representatives in directing the day-to-day functions of the office and the entire membership of the legislature shall have the ultimate control and supervision over policy of the office.

(b) Succeeding management councils shall be composed of said officers serving during the legislative session. Membership on the management council shall terminate upon qualification of a member's successor or upon the termination of the member's position held within his respective chamber, whichever first occurs. Vacancies occurring by reason of refusal or inability to serve during a period when the legislature is or is not in session, or for any other reason, shall be filled by a member of

the body through appointment by a majority vote of the remaining members on the council of his political party. The council shall keep minutes of its meetings, which shall be available to all members of the legislature upon request. Any member of the legislature shall have the right to attend any of the meetings of the management council and may present his views on any relevant subject.

(c) The management council may promulgate reasonable rules and regulations for the internal management of the office, including the respective duties of the director and the staff. The rules of practice comprised in Mason's Manual of Legislative Procedure shall govern the management council, all interim committees, and investigative committees in all cases in which they are not inconsistent with the rules and orders as specifically adopted by the management council.

(d) The management council shall meet promptly following its creation. A majority of the management council shall constitute a quorum for transaction of business. It shall elect a chairman and vice-chairman from among its membership. The chairman and vice-chairman shall not be members of the same body.

28-8-103. Director and staff.

The management council shall appoint by majority vote a director of the office. The director, subject to the prior approval of the management council, may appoint assistant directors. The director shall appoint such professional, technical and clerical staff as necessary to perform the functions assigned to the office. The director and staff shall be selected without reference to political affiliation and shall serve at the pleasure of the appointing authority. They shall be paid salaries and receive necessary expenses as determined by the management council.

28-8-104. Direction by legislature during sessions; joint interim committees; requests for services; establishment of priorities; appointment of select committees; vacancies; enlarging committees.

(a) The legislature during regular or special session may direct the director and his staff to perform such studies, duties or services as the legislature may prescribe.

(b) When the legislature is not in regular or special session, the respective standing committees of the house and senate shall function as joint interim committees. Each of these interim committees may request the office to perform specific studies and services for the interim committee conditioned only upon receipt of prior approval of the committee's request by the management council. All priorities based upon limitation of time and appropriation of the office shall be established by the management council and followed by the interim committees and individual legislators. Any specific study or service that is approved by the management council, including bill drafting and prefiling, shall be done under the supervision of the appropriate interim committee or the individual legislator.

(c) The management council shall have the right, when a joint interim committee is not performing its assigned study or a special study is desired, to appoint a select committee of not less than three (3) members without regard to its house or senate makeup to carry out the duties of the interim committee or the special study.

(d) The management council shall have the right to fill any vacancy or enlarge any committee to facilitate any assigned studies conducted during the interim.

(e) Of committees comprised of members of both houses of the legislature, only management council, joint interim committees of the legislature, the joint appropriations committee, the management audit committee and select committees explicitly authorized by statute or joint rule or resolution of the legislature shall sponsor and introduce legislation during a legislative session. Nothing in this subsection shall restrict the right of a member of the legislature to sponsor legislation.

28-8-105. Duties of director and staff; prefiling bills; fiscal notes.

(a) It shall be the duty of the director and staff to perform the following specific functions, together with such other functions as the council may prescribe:

(i) Provide information during the legislative session and interim periods for any legislative, interim or standing committee or individual legislator;

(ii) Provide for and use an automated bill-drafting system;

(iii) Aid any legislator in drafting bills, resolutions or amendments prior to a general election, or aid any person who will be a member of the next session of the legislature in drafting or prefiling legislative bills, resolutions, or amendments, when the legislator aids and assists in the drafting and in the case of prefiling agrees to sponsor the bill, resolution or amendment. The management council may limit at its discretion, the number of bills that any legislator or person may have drafted or prefiled, but there shall be no limit applied to any standing or interim committee;

(iv) Keep a record of all expenditures of the legislature, and keep a correct inventory and act as custodian of all legislative supplies and property;

(v) Compile such laws of the state of Wyoming as are designated by the management council. In preparing copy for printing any revision or compilation of laws, deletions of obsolete or fully executed date references and corrections in punctuation, spelling, grammatical construction, section numbers or headings may be made provided such deletions and corrections do not alter the meaning;

(vi) Serve, or designate a qualified staff attorney to serve, as a member of the National Conference of Commissioners on Uniform State Laws.

(b) Bills or files, resolutions or memorials may be prefiled by any person who will be a member of the next session of the legislature after the general election and prior to the convening of a regular session of the legislature. They shall be submitted to the director in such form as is in accordance with the most recent rules and practices. Each submittal shall bear the signature of the authorized person submitting it and shall be approved as to form by the director. A bill, file, resolution, or memorial is prefiled when written approval by the sponsor is received by the legislative service office. Promptly upon receipt of the draft of the bill or file, resolution or memorial to be prefiled, the office shall:

(i) Cause each item to be placed in proper form with the use of the automated bill-drafting system and printed in sufficient quantity for use at the next session;

(ii) Maintain and deliver to the chief clerk of the appropriate house of the legislature immediately after such

officer has been duly qualified, each item of proposed legislation, prefiled bill, file, resolution or memorial;

(iii) Forward to each requesting legislator and legislator-elect of the pending legislative session printed copies of each item of prefiled legislation, resolution and memorial so prefiled.

(c) The management council may negotiate with any responsible publisher for revising, compiling, editing, preparing, printing, publishing, selling and distributing any designated revision, compilation, session laws, journals or digests and may accept bids from such publishers and award contracts for the preparation and printing of such publications, to the bidder most nearly meeting the requirements of the council.

(d) The legislative service office shall provide fiscal notes for all proposed legislation having a fiscal impact, indicating fiscal and personnel impact and revenue generated or required by the proposed legislation, in such form and under such conditions as specified by joint rule of the legislature. Fiscal notes shall only quantify impact at the state level but shall also reflect any changes to the total amount of revenue distributed from the state to local governments under a statutory formula. Fiscal notes shall be submitted to the sponsor of the bill for review and approval prior to attachment to the bill.

28-8-106. Purchase and distribution of statutes, supplements and session laws.

The legislative service office shall purchase such number of copies of statutes, supplements or session laws as the management council may direct. The legislative service office shall retain such copies as necessary for its own use and distribute the balance as directed.

28-8-107. Auditing of state agencies; management audit committee; factors to be considered in audit reports.

(a) During every regular session the president of the senate and the speaker of the house of the Wyoming legislature shall each appoint five (5) members of their respective bodies to a management audit committee. Appointments to the committee by each presiding officer shall reflect as nearly as possible the percentage of the elected membership of the majority and

minority parties of each house, provided that not more than four (4) members appointed by each presiding officer shall be from the same political party. The committee may appoint one (1) additional member of the legislature to this committee.

(b) The legislative service office, at the direction of the management audit committee, subject to management council budget priorities, and subject to general policies established by the legislature when in regular or special session, shall:

(i) Conduct audits of agencies which may include:

(A) Program evaluations;

(B) Performance audits;

(C) Analyses of policy alternatives;

(D) Audits of the accounts and operations of any agency or of any entity directly or indirectly receiving state funds;

(E) Repealed by Laws 1995, ch. 97, § 2.

(ii) Conduct post-audits to determine if specific recommendations and problems revealed by a first audit have been corrected.

(c) The legislative service office shall prepare a report of each audit conducted and submit a copy of the audit report to the agency being reviewed for comment. The agency has fifteen (15) days, unless otherwise authorized by the committee, to submit a written response to the report to the legislative service office. The completed audit report, which includes the agency response, if any, shall be transmitted to the management audit committee for review and discussion with the agency officials and the legislative auditors. This review and discussion of the audit report shall be conducted by the committee in executive session. Following review the audit report may be released unless the committee requests the legislative service office to obtain supplemental information. A copy of the completed report and any supplemental information shall be distributed to the governor and each member of the legislature.

(d) The contents of the audit report, its findings and documentation are confidential and shall not be disclosed by any

member of the management audit committee or employee of the legislative service office or agency being audited until the completed audit report is released, but the committee may discuss the contents of the audit report with the governor before release of the final report. The chairman of the management audit committee and the director may disclose and discuss any report made pursuant to W.S. 28-8-108(c) with the governor regardless of the status of the audit report.

(e) Auditing standards adopted by the management audit committee and approved by the management council shall be used in conducting audits and shall follow industry best practices, program evaluation standards and performance audit standards. The audit shall consider:

(i) Whether the funds which have been appropriated or otherwise allotted by the legislature to the various state agencies have been expended in accordance with legislative intent;

(ii) Whether administrative programs are being conducted according to legislative intent;

(iii) Whether funds and properties handled by an agency or held in trust have been properly administered;

(iv) That reports and financial statements by the agency disclose fully the nature and scope of the activities conducted and provide a proper basis for evaluating the agency's operations;

(v) Whether there is duplication or overlap of services;

(vi) Whether there are alternative means of achieving the same results;

(vii) Any other factors relating to the efficiency, economy and effectiveness of the agency being audited.

(f) Repealed by Laws 1995, ch. 97, § 2.

(g) As used in this section, "agency" means any state agency, division or department of any state agency, institution, council, board, commission or any other unit, subunit or program of state government.

(h) The management audit committee may exercise the subpoena power granted by W.S. 28-1-109(a) by unanimous request of the chairman and vice-chairman or upon the request of a majority of the members of the committee.

28-8-108. Comments, recommendations and suggestions in audit reports; disclosure of confidential information; unauthorized reports or releases; reporting criminal violations.

(a) The reports of the legislative service office may include comments, recommendations and suggestions, but neither the director nor the auditors shall have any authority to enforce any recommendation or suggestion nor shall they otherwise influence or direct executive or legislative action. All information obtained by the legislative service office related to an audit is deemed not to be a public record and shall remain confidential information in the possession of the legislative service office. Except as otherwise provided in this section or W.S. 28-8-107(d), this information may be disclosed by the legislative service office only to members of the legislative committee for which the information was obtained, only to the extent necessary to document a statement or report, and only in a manner that protects individual identities.

(b) Any member of the legislative service office who knowingly discloses confidential information other than as authorized by this section, discloses the contents of audit reports prohibited by W.S. 28-8-107 or releases other reports or information not authorized by the management council, the management audit committee or by statute is subject to immediate termination of employment.

(c) If information obtained by the legislative service office related to an audit discloses an indication of a violation of any criminal law of this state the information shall be reported by the legislative service office employee discovering the apparent violation to the director who shall report the apparent violation to the chairman of the management audit committee and thereafter or concurrently therewith, to the attorney general. Any report under this subsection may be made with the supporting information from the audit determined to be necessary or convenient. Upon request of the attorney general in investigating any apparent violation reported pursuant to this subsection, the legislative service office shall make available to the attorney general any information requested which was obtained during the audit, regardless of the status of the audit report.

(d) The legislative service office shall release information obtained in conducting an audit in response to a court subpoena in a criminal proceeding.

28-8-109. Reports by director to legislature.

The director and his staff shall prepare and deliver a report of the activities of the office to each member of the legislature not later than January 15th of each calendar year, or at such other times as the management council deems necessary or as requested by the legislature.

28-8-110. Mileage, salary and per diem of legislators engaging in activities.

All members of the legislature shall receive their statutory mileage, salary and per diem for each day actually spent in legislative-directed or management council-approved activities of the office.

28-8-111. Assistance to be provided by state and local officers or agencies; duty of audited agencies.

(a) Upon request of the director and with the approval of the management council or the management audit committee, each officer, board, commission, department or any political subdivision of state government or any local government shall provide assistance, documents and information to the legislative service office.

(b) In preparing fiscal and personnel notes for proposed legislation as required by joint rule of the legislature, the budget division of the department of administration and information, its successor, and any agency or department of state government shall furnish any information or assistance relative thereto as soon as reasonably practicable upon request of the director.

28-8-112. Space in state capitol building and annexation.

(a) The following areas in the state capitol building, including the extension from the capitol building to and under the Herschler building and within the Herschler building, shall be rooms and halls provided for the conduct of activities of the legislature, its committees, the legislative service office and necessary legislative staff, and the management council:

(i) On the garden level of the capitol building, rooms in the west half of the capitol building and the room on the northwest corner of the east half of the garden level;

(ii) On the first floor of the capitol building:

(A) The two (2) meeting rooms adjacent to the west wall of the building and the hospitality room contiguous to the north meeting room;

(B) The room on the southeast corner of the west half of the first floor.

(iii) The second and third floors of the capitol building, inclusive of hallways and stairways on those floors;

(iv) Within the extension from the capitol building to and under the Herschler building, the six (6) meeting rooms, three (3) rooms in the east wing under the Herschler building, dedicated to a learning center, media room and visitor center, and the room designated as a "leg. copy" room on page 34 of the presentation to the capitol building rehabilitation and restoration oversight group on March 9, 2016, which presentation is on file with the legislative service office;

(v) That area on the first floor, west wing of the Herschler building designated as "legislature" on page 35 (bearing the label "Herschler First Floor - Proposed assignments), of the presentation to the capitol building rehabilitation and restoration oversight group on March 9, 2016, and as subsequently reduced on the north side by action of the state capitol building rehabilitation and restoration oversight group on August 22, 2018, as reflected in the minutes of the meeting on file with the legislative service office;

(vi) During legislative sessions, the presiding officers of the house and senate shall have the regulation of passageways on the second and third floors of the capitol building and passageways adjacent to or contiguous with the meeting rooms specified in subparagraph (ii)(A) and paragraph (iv) of this subsection;

(vii) All areas devoted to mechanical systems within the areas specified in paragraphs (i) through (vi) of this subsection shall not be considered areas for the conduct of

activities of the legislature and shall be managed by the state building commission.

28-8-113. Duty of agency officers and employees; legislative service office access to records; failure to provide access; penalty.

(a) Any officer or employee of a state agency subject to audit or other review by the legislature shall fully assist the legislative service office during the course of the audit or review. The legislative service office shall have access to and authority to examine all books, records, accounts, files, correspondence and all other documents, confidential or otherwise, maintained by the agency or its employees during the course of agency business. The provisions of W.S. 16-4-201 through 16-4-205 do not apply to audits or investigations of state agencies performed by or on behalf of the legislature or legislative committees. Any member of the legislative service office who discloses confidential information obtained while conducting an audit, to any person or in any manner not authorized by law, is subject to disciplinary action as provided by W.S. 28-8-108(b).

(b) Any officer or employee of an agency who knowingly fails or refuses to permit such access and examination is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100.00) and not more than one thousand dollars (\$1,000.00), imprisonment in the county jail for a period not to exceed six (6) months, or both.

28-8-114. Legal actions authorized; employment of counsel.

(a) The legislature finds that proper interpretation and administration of the constitution and legislative enactments of the state of Wyoming are matters of great public interest and importance, and the legislature has a sufficient interest in the proper interpretation and administration of the constitution and its own enactments to provide standing for the legislature to prosecute an action for declaratory judgment to protect its interests and the interests of the public.

(b) The legislature by a majority vote of the members of both houses when in session, or the management council by the affirmative vote of two-thirds (2/3) of the members of the council during the interim, is authorized to commence and prosecute an action for declaratory judgment in the courts of this state, or of the United States, when such action is deemed

necessary or advisable to protect the rights, powers and interests of the legislature or assure proper interpretation or administration of the constitution, statutes or administrative rules of Wyoming.

(c) The legislature may by resolution direct the management council to prosecute an action. The management council may commence an action upon its own motion.

(d) The legislature or the management council may direct the legal staff of the legislative service office to commence and prosecute the action, or it may employ private counsel for such purposes, as it deems advisable.

28-8-115. Repealed By Laws 2002, Ch. 76, § 3.

28-8-116. Confidential communications.

(a) Except as otherwise provided in subsection (d) of this section and unless the privilege is waived by the individual legislator involved, the following shall be deemed confidential and privileged:

(i) Communications between a legislator and legislative staff relating to:

(A) A request for research or advice on a legislative issue;

(B) A request for the drafting of legislation or amendments to legislation;

(C) Any matter under consideration by a legislative committee other than communications made publicly to legislative staff in a public meeting of the committee;

(D) Development of a legislator's position on legislation or discussion of any matter arising out of or relating to the deliberative process of the legislature.

(ii) All documents and electronic records, including but not limited to correspondence, e-mail, notes, memoranda and preliminary or final drafts, received by a legislator or legislative staff or prepared or assembled by a legislator or legislative staff in regard to a communication under paragraph (a)(i) of this section, other than a version of a bill or amendment approved for introduction;

(iii) Communications between a legislator and a contractor or consultant retained by the legislature other than communications made publicly in a public meeting.

(b) Private communications of or to a legislator in his official capacity including but not limited to communications with constituents are confidential until otherwise disclosed by the legislator or the individual who is party to the communication.

(c) As used in this section, "legislative staff" means the staff of the legislative service office, session staff employed by the legislature and legislative interns and aides.

(d) The recording or broadcast of a communication made by a legislator or legislative staff which would otherwise be confidential and privileged under this section shall not be deemed confidential and privileged to the extent that the communication is audible on the official legislative service office recording or broadcast of a public meeting of management council, the joint appropriations committee, the management audit committee, a joint interim committee, select committee or task force. Nothing in this subsection shall be deemed to waive the privilege for any communication or portion of a communication that is not audible on the recording or broadcast.

CHAPTER 9 ADMINISTRATIVE REGULATION REVIEW

28-9-101. Definitions.

(a) As used in this act:

(i) "Agency" means any authority, bureau, board, commission, department, division, officer or employee of the state, excluding the state legislature and the judiciary;

(ii) "Council" means the legislative management council or any committee thereof;

(iii) "Rule" means the same as defined in W.S. 16-3-101(b)(ix);

(iv) "This act" means W.S. 28-9-101 through 28-9-108.

28-9-102. Powers and duties.

(a) The council may:

(i) Examine the administrative rules and regulations of any agency to determine if they properly implement legislative intent, are within the scope of delegated authority, and are lawfully adopted;

(ii) Require any agency and any officer or employee thereof to give full cooperation and assistance to the committee or its staff in assembling and furnishing requested information; and

(iii) Hold public hearings.

28-9-103. Submission of rules for review; notice to legislators.

(a) Repealed by Laws 1988, ch. 66, § 2.

(b) An agency shall submit copies of adopted, amended or repealed rules to the legislative service office for review pursuant to W.S. 28-9-104 within ten (10) days after the date of the agency's final action adopting, amending or repealing those rules.

(c) Repealed by Laws 1988, ch. 66, § 2.

(d) Upon receipt of an agency's notice to adopt new rules pursuant to W.S. 16-3-103(a)(i), the legislative service office shall give notice to the primary sponsor of the legislation, to members of the interim or standing committee which sponsored or acted upon the legislation authorizing the new rules and to any other legislator requesting notification. The notice given by the legislative service office shall state a copy of the rules will be sent if requested. Notice under this subsection is not required for persons not currently serving in the legislature.

28-9-104. Review procedure; time for review; criteria for review.

(a) The legislative service office shall review rules submitted under W.S. 28-9-103(b) and report its findings to the council. The legislative service office shall review new rules and include therein any comments from the primary sponsor of the legislation, the chairman of the interim or standing committee which sponsored or acted upon the legislation authorizing the

new rules and any other legislator submitting comments, and shall report their findings to the council. The report required under this subsection shall be submitted to the council:

(i) Within fifteen (15) days after the rules were submitted under W.S. 28-9-103(b); or

(ii) If the legislature is in session at the time the report would otherwise be due under paragraph (i) of this subsection, then within ten (10) days after the adjournment of the session.

(b) The council may review any rule of an agency when requested to do so by a member of the legislature or any legislative committee.

(c) When reviewing a rule of an agency, the council shall determine whether the rule:

(i) Appears to be within the intent and scope of the legislative enactment delegating the authority to adopt the rule;

(ii) Has been adopted in accordance with all applicable and statutory requirements of law; and

(iii) Meets all constitutional and statutory requirements, restrictions and standards.

28-9-105. Review procedure; recommendations.

(a) Repealed by Laws 1988, ch. 66, § 2.

(b) The management council may refer the review report to the legislative interim or standing committee which sponsored or handled the legislation which is the authority relied on for the rule being reviewed. If the legislation was not sponsored by a legislative committee, the review report may be referred to the joint interim committee which corresponds to the standing committee that handled the legislation in the house in which the legislation was introduced. The standing or interim committee to which the review report is referred may make recommendations to and assist the council in preparing recommendations to the agency which adopted or proposed the rule being reviewed.

28-9-106. Council recommendations to the agency; time.

(a) The council shall submit its approval or its recommendations for amendment or rescission to the governor and to the agency which submitted the rule.

(b) The governor, within fifteen (15) days after receiving any council recommendation, shall either order that the rule be amended or rescinded in accordance with the council's recommendation or file with the council in writing his objections to the recommendation.

28-9-107. Legislative orders; action required; implementation and enforcement of rules.

(a) If the council determines that a rule submitted for review under W.S. 28-9-103(b) does not satisfy one (1) or more of the criteria of W.S. 28-9-104(c), the council may introduce legislation in the next succeeding legislative session following the review to obtain a legislative order to prohibit the implementation or enforcement of the rule.

(b) Repealed by Laws 1988, ch. 66, § 2.

(c) If the legislature, each house voting separately, approves a legislative order to prohibit the implementation or enforcement of any rule, the rule is null and void and shall not be implemented or enforced. If the legislature fails to approve a legislative order prohibiting the implementation or enforcement of a rule, the rule may be implemented or enforced, as the case may be, after compliance with all other applicable provisions of law.

28-9-108. Submitting rules to legislative service office required.

No rule shall be filed with the secretary of state pursuant to the Wyoming Administrative Procedure Act, except an emergency regulation adopted as provided by W.S. 16-3-103(b), unless the rule has been submitted to the legislative service office for review as provided by this act.

CHAPTER 10
SUNSET LAW

28-10-101. Repealed by Laws 1988, ch. 58, § 2.

28-10-102. Repealed by Laws 1988, ch. 58, § 2.

28-10-103. Repealed by Laws 1988, ch. 58, § 2.

CHAPTER 11
SELECT COMMITTEES

ARTICLE 1
SELECT WATER COMMITTEE

28-11-101. Appointment of members; powers and duties; related duties of water development commission.

(a) Not later than March 31 following each general election, a select water committee shall be appointed subject to the following:

(i) The president of the senate shall appoint six (6) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than five (5) of the members shall be from the same political party;

(ii) The speaker of the house of representatives shall appoint six (6) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than five (5) of the members shall be from the same political party;

(iii) Insofar as possible, of the six (6) members appointed from each house, one (1) shall reside in and be appointed from each of the four (4) water divisions in the state and two (2) at large. The presiding officer may appoint three (3) of the six (6) members at large, provided that no more than two (2) members shall reside in the same water division.

(b) The select committee shall:

(i) Select from among its members a chairman and vice-chairman;

(ii) Monitor water development commission progress with regard to projects specified in Chapter 60, 1982 Session Laws and other projects specified by law;

(iii) Prepare and submit to the joint agriculture, state and public lands and water resources interim committee as part of the report required of the water development commission

under W.S. 41-2-118(a) not later than January 1 of each year a report detailing the water development commission's progress, the activities of the committee, specifying any committee recommendations and continue development of a water policy as provided by Section 15, Chapter 60, 1982 Session Laws;

(iv) Repealed by Laws 1986, ch. 113, § 14.

(v) Review the budgets of all projects and make recommendations regardless of funding source.

(c) The water development commission shall:

(i) Provide the select committee with notice of all commission meetings. The select committee and the commission may hold joint meetings;

(ii) Not enter into any contract or contract amendment involving the expenditure of more than five thousand dollars (\$5,000.00) of any funds authorized for any project under Chapter 60, 1982 Session Laws or under W.S. 41-2-114, until thirty (30) days after the contract or contract amendment has been submitted to the legislative service office for distribution to members of the select committee for review and recommendation;

(iii) Provide information to the select committee upon request to assist the select committee to monitor progress.

(d) The select committee may:

(i) Secure consulting services, if necessary, to provide technical assistance in inspecting and reviewing construction projects, drilling programs, budgets or other issues related to the water projects approved by the legislature;

(ii) Review the budgets prepared by the water development commission for each separate water project under its control;

(iii) Inspect any construction, drilling or waterworks on approved water projects.

ARTICLE 2

SELECT COMMITTEE ON CAPITAL FINANCING AND INVESTMENTS

28-11-201. Appointment of members; powers and duties.

(a) Not later than March 31 following each general election, the president of the senate shall appoint six (6) members of the senate, and the speaker of the house of representatives shall appoint six (6) members of the house to a select committee on capital financing and investments. Appointments to the committee by each presiding officer shall reflect as nearly as possible the percentage of the elected membership of the majority and minority parties of each house, provided that not more than five (5) members appointed by each presiding officer shall be from the same political party.

(b) The select committee shall:

(i) Select from among its members a chairman and vice-chairman;

(ii) Monitor the establishment and implementation of state investment policy by the state loan and investment board under W.S. 9-4-716, including the extent to which investment goals are being achieved;

(iii) Monitor the establishment and implementation of state capital financing policy by the state building commission and any other state entity charged with capital financing;

(iv) Prepare and submit recommendations to the legislature, including sponsoring legislation, to improve statutes related to the investment of state and local government funds;

(v) Develop knowledge and expertise among its members regarding issues related to investment of public funds and capital financing;

(vi) Monitor state funds invested for a specific public purpose authorized or directed by the legislature.

(c) The state loan and investment board shall:

(i) Provide the select committee with notice and minutes of all board meetings. The select committee and the board may hold joint meetings;

(ii) Provide information to the select committee upon request to assist the select committee to monitor progress.

(d) The select committee may:

(i) Secure consulting services, if necessary, to provide technical assistance regarding state investment policy;

(ii) Review budgets and expenditures related to any aspect of state investment policy and its implementation;

(iii) Review budgets and expenditures related to any aspect of state capital financing policy and its implementation.

ARTICLE 3

SELECT COMMITTEE ON SCHOOL FACILITIES

28-11-301. Appointment of members; powers and duties; related duties of school facilities commission.

(a) Not later than March 31 following each general session, the president of the senate shall appoint five (5) members of the senate and the speaker of the house shall appoint five (5) members of the house to a select committee on school facilities. Appointments to the committee by each presiding officer shall reflect as nearly as possible the percentage of the elected membership of the majority and minority parties of each house, provided that not more than four (4) members appointed by each presiding officer shall be from the same political party.

(b) The select committee shall:

(i) Select from among its members a chairman and vice-chairman;

(ii) Meet at least quarterly;

(iii) Monitor the assessment of statewide school facility needs, prioritization of these needs and remediation of identified needs, as undertaken by the school facilities commission and the state construction department pursuant to title 21 of Wyoming statutes;

(iv) Develop knowledge and expertise among its members regarding issues pertaining to school facilities and commission and state construction department programs and procedures to maintain statewide facility adequacy;

(v) Not later than November 1 of each year, prepare and submit budget recommendations based upon information reported by the commission and the state construction department under W.S. 21-15-119 and 21-15-121, addressing statewide building and facility needs to the joint appropriations committee and the governor. Based upon reports submitted under W.S. 21-15-119 and 21-15-121, the select committee may report recommendations to the legislature including any necessary implementing legislation;

(vi) Review commission proposals for rules and regulations and provide recommendations to the commission concerning the proposed regulations.

(c) The state construction department shall:

(i) Provide the select committee with notice of all school facilities commission meetings;

(ii) Provide the committee with school facilities commission and department reports and studies pertaining to school building and facility remediation projects;

(iii) Provide information to the select committee upon request to assist the select committee in monitoring progress under paragraph (b)(iii) of this section and in reviewing budget recommendations under paragraph (b)(v) of this section;

(iv) Using accepted accounting standards, account for all funds appropriated by the legislature for each fiscal period and not less than four (4) times during each fiscal year, report expenditures of appropriated amounts and separately identify and report any expenditures which are modified from those amounts specified within the proposed budget submitted to the select committee under W.S. 21-15-119. Any such modification of expenditures of legislative appropriations shall be executed only upon the express approval and authorization of the school facilities commission, shall be within the sole authority of the commission and shall not be delegated by the commission.

(d) The select committee may review the budgets prepared by the school facilities commission for each separate project contained within the total budget request submitted under W.S. 21-15-119 and may request additional documentation associated with the development of the project for inclusion within the budget request.

ARTICLE 4
SELECT NATURAL RESOURCE FUNDING COMMITTEE

28-11-401. Appointment of members; powers and duties; related duties of wildlife and natural resource trust account board.

(a) Not later than March 15 following each general election, a select natural resource funding committee shall be appointed subject to the following:

(i) The president of the senate shall appoint three (3) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than two (2) of the members shall be from the same political party;

(ii) The speaker of the house of representatives shall appoint three (3) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than two (2) of the members shall be from the same political party.

(b) The select committee shall:

(i) Select from among its members two (2) members to serve as co-chairmen;

(ii) Monitor wildlife and natural resource trust account board progress with regard to projects specified in W.S. 9-15-101 et seq. and other projects specified by law;

(iii) Review the budgets of all projects funded from the wildlife and natural resource trust income account as created in W.S. 9-15-103(b) and sponsor legislation to fund expenditures from the account as recommended by the select committee.

(c) The wildlife and natural resource trust account board shall:

(i) Provide the select committee with notice of all board meetings. The select committee and the board may hold joint meetings;

(ii) Provide information to the select committee upon request to assist the select committee to monitor progress of projects.

(d) The select committee may:

(i) Secure consulting services, if necessary, to provide technical assistance in reviewing project grant applications, budgets or other issues related to projects funded under this act;

(ii) Review the project grant applications for large projects forwarded by the wildlife and natural resource trust account board.

ARTICLE 5

SELECT FEDERAL NATURAL RESOURCE MANAGEMENT COMMITTEE

28-11-501. Appointment of members; powers and duties.

(a) Not later than March 15 following each general election, a select federal natural resource management committee shall be appointed subject to the following:

(i) The president of the senate shall appoint three (3) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than five (5) of the members of the select committee shall be from the same political party. Select committee membership shall include:

(A) One (1) member of the senate agriculture, state and public lands and water resources committee;

(B) One (1) member appointed at-large; and

(C) One (1) member of the senate minerals, business and economic development committee.

(ii) The speaker of the house of representatives shall appoint three (3) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than five (5) of the members of the select committee shall be from the same political party. Select committee membership shall include:

(A) One (1) member of the house agriculture, state and public lands and water resources committee;

(B) One (1) member appointed at-large; and

(C) One (1) member of the house minerals, business and economic development committee.

(b) The select committee shall:

(i) Select from among its members one (1) senator and one (1) member of the house to serve as co-chairmen;

(ii) Meet as necessary to review existing or proposed federal policies or action which may impact the management, development or use of the state's natural resources;

(iii) Consider issues related to public lands. In considering the topic, the select committee:

(A) Shall determine the potential structure of ownership of public lands within the state including consideration of the state owning the surface rights, owning the subsurface rights, managing either the surface or subsurface, or both, or other ownership and management options as determined by the committee;

(B) Shall determine criteria for management of public lands including consideration of rights currently existing under federal law;

(C) Shall consider methods for the federal government to divest public lands held within the state including consideration of legal action and congressional action;

(D) May secure consulting services, if necessary, to provide technical assistance in compiling information related to public lands within the state or other issues related to the transfer of public lands.

(iv) Develop and introduce legislation as necessary related to the acquisition or management of public lands and legislative responses to federal policies and actions necessary to protect the interests of the state of Wyoming.

(c) As used in this section, "public lands" means any surface or subsurface lands within the boundaries of the state, title to which is held by the federal government. "Public lands" shall not include any land within the boundaries of a designated national park, designated national monument or wilderness area designated under the national wilderness preservation system.

ARTICLE 6
SELECT COMMITTEE ON TRIBAL RELATIONS

28-11-601. Appointment of members; powers and duties.

(a) Not later than March 15 following each general election, a select committee on tribal relations shall be appointed subject to the following:

(i) The president of the senate shall appoint three (3) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than two (2) of the members shall be from the same political party. The president of the senate shall designate a co-chairman of the select committee;

(ii) The speaker of the house of representatives shall appoint three (3) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than two (2) of the members shall be from the same political party. The speaker of the house shall designate a co-chairman of the select committee.

(b) The select committee shall:

(i) Develop knowledge and expertise among its members regarding matters pertaining to Indian tribes in the state and services and needs on the Wind River Indian Reservation. Consideration of the topics in this paragraph shall include health and safety, water, education, transportation, gaming, communications, law enforcement and legal services, infrastructure, land and resources, minerals, revenue, economic development and other issues that are a concern to the residents on and near the Wind River Indian Reservation as approved by management council;

(ii) Facilitate and foster communication and robust working relationships among state, tribal, federal and local

entities and pursue opportunities for encouraging economic growth, nondiscrimination and wellbeing for residents of Wind River Indian Reservation and neighboring communities;

(iii) Develop and introduce legislation as necessary. If any draft legislation developed by the select committee relates to a topic area of a joint interim committee the legislation shall be submitted to the appropriate legislative committee for comment and consideration prior to the joint interim committee's last scheduled interim meeting.

ARTICLE 7

SELECT COMMITTEE ON BLOCKCHAIN, FINANCIAL TECHNOLOGY AND DIGITAL INNOVATION TECHNOLOGY

28-11-701. Appointment of members; powers and duties; executive branch liaisons.

(a) Not later than March 15 following each general election, a select committee on blockchain, financial technology and digital innovation technology shall be appointed subject to the following:

(i) The president of the senate shall appoint four (4) members of the senate apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the senate, provided not more than three (3) of the members shall be from the same political party. The president of the senate shall designate a co-chair of the select committee;

(ii) The speaker of the house of representatives shall appoint four (4) members of the house apportioned as nearly as possible to reflect the percentage of the elected membership of the majority and minority parties of the house, provided not more than three (3) of the members shall be from the same political party. The speaker of the house shall designate a co-chair of the select committee.

(b) The select committee shall:

(i) Develop knowledge and expertise among its members regarding issues pertaining to blockchain, financial technology and digital innovation technology;

(ii) Develop and introduce legislation as necessary to promote blockchain, financial technology and digital

innovation in Wyoming unless the legislation relates to Title 13 of the Wyoming statutes, in which case the legislation shall be recommended to the joint minerals, business and economic development interim committee for consideration.

(c) Not later than March 15 following each general election, the governor shall appoint three (3) persons to serve as liaisons to the select committee on blockchain, financial technology and digital innovation technology. The governor may, in a manner consistent with W.S. 9-1-202, remove any liaison to the select committee. The liaisons shall:

(i) Aid, assist and advise the select committee on issues pertaining to blockchain, financial technology and digital innovation technology;

(ii) Except as otherwise provided in this paragraph, serve without salary but may, at the governor's discretion, receive per diem and mileage or actual expenses for attending meetings in the manner and amounts provided by law for state employees. Members who are government employees shall be considered on official business of their agency when performing duties as liaisons to the select committee.

CHAPTER 12

SENATE CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

28-12-101. Appointments by governor; vacancies.

(a) The governor shall submit to the senate the name, address and occupation of each person he proposes for appointment to public office and for which senate advice and consent is required under either the constitution or laws of this state. In addition and for those appointments for which political party affiliation is specified by law, the governor shall provide the senate with documentation of compliance with W.S. 9-1-218(e). The information required by this section shall be submitted to the senate by:

(i) Noon on the thirtieth legislative working day during the general and budget session; and

(ii) Noon on the twelfth legislative working day during the budget session.

(b) The governor may fill any vacancy occurring between sessions of the legislature by temporary appointment to be effective until March 1 of the ensuing calendar year.

28-12-102. Senate consideration of gubernatorial appointments; procedure; roll call vote required.

(a) The senate, in a manner it determines, shall review the qualifications of each person whose name is submitted to it for consideration in accordance with W.S. 28-12-101(a).

(b) After review of nominees in accordance with subsection (a) of this section, the senate, within five (5) legislative working days after submission by roll call vote, shall confirm or reject each gubernatorial nominee requiring the advice and consent of the senate.

(c) If the senate does not consent to a nominee for a given office, the governor shall submit the name, address and biography of another person for senate consideration if the legislature is still in session. If the legislature has adjourned, the governor may make a temporary appointment as provided in W.S. 28-12-101(b). No person rejected by the senate shall be appointed to or serve in, either temporarily or otherwise, the public office for which his nomination was rejected.

28-12-103. Expiration date of appointees' terms.

Notwithstanding any other provision of law, effective July 1, 1979, after the expiration of the current term of office of each person appointed by the governor and required to be confirmed by the senate, the next term of that office expires on March 1 during the year of regular expiration. Thereafter, each term, as specified in this section, and each term of office on any board, commission or committee created by the laws of this state after July 1, 1979, and for which senate confirmation is required, expires on March 1 during the year of regular expiration. Notwithstanding the provisions of this section, the term of an attorney general serving pursuant to W.S. 9-1-601(b) shall terminate as provided by that subsection.